

1 **Education Cabinet**

2 **Kentucky Board of Education**

3 **Department of Education**

4 **(Repealer)**

5 **701 KAR 5:031. Repeal of 701 KAR 5:035.**

6 RELATES TO: KRS 61.876

7 STATUTORY AUTHORITY: KRS 61.876, 156.070

8 NECESSITY, FUNCTION, AND CONFORMITY: This is to repeal administrative
9 regulation 701 KAR 5:035, Procedures for records requests. This administrative regulation
10 is no longer required because the Finance and Administration Cabinet is authorized by
11 KRS 61.876(3) to promulgate uniform rules governing public access to public records
12 maintained by administrative agencies of the state government. The Finance Cabinet has
13 established 200 KAR 1:020 which sets out the general rules to be followed by all state
14 administrative agencies in affording public access to their records and by persons applying
15 to inspect such records. The Office of Attorney General has advised that the Finance
16 Cabinet's regulation is sufficient for and designed for use by all state agencies, thus
17 removing the need for each agency to have separate and individual regulations governing
18 record requests. If this regulation remained and/or was amended, the regulation would be
19 superfluous and could created ambiguity since 200 KAR 1:020 is firmly established and
20 designed to meet the record keeping requirements for all agencies.